

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM J. PASSARELLA, JR.,	:	
	:	
Plaintiff,	:	CIVIL ACTION NO. 20-3391
	:	
v.	:	
	:	
ALICE HEGWITT,	:	
	:	
Defendant.	:	

ORDER

AND NOW, this 14th day of September, 2020, after considering (1) the complaint (Doc. No. 1), (2) the two applications for leave to proceed *in forma pauperis* (Doc. Nos. 4, 6), (3) the two prisoner trust fund account statements (Doc. Nos. 5, 7), (4) the “Motion to Review All Documents on my Behalf” (Doc. No. 8), and (5) the separately filed exhibits (Doc. Nos. 9, 10) filed by the *pro se* plaintiff, William J. Passarella, Jr. (“Passarella”); and for the reasons stated in the separately filed memorandum opinion, it is hereby **ORDERED** as follows:

1. The applications for leave to proceed *in forma pauperis* (Doc. Nos. 4, 6) are **GRANTED** and Passarella has leave to proceed *in forma pauperis*;

2. The “Motion to Review All Documents on my Behalf” (Doc. No. 8) is **GRANTED** insofar as the court reviewed all of the documents submitted in screening this matter under 28 U.S.C. § 1915;

3. William J. Passarella, Jr. #LG-6537, shall pay the full filing fee of \$350 in installments, pursuant to 28 U.S.C. § 1915(b), regardless of the outcome of this case. The court directs the Superintendent of SCI-Mahanoy or other appropriate official to assess an initial filing fee of 20% of the greater of (a) the average monthly deposits to Passarella’s inmate account; or (b) the average monthly balance in Passarella’s inmate account for the six-month period immediately

preceding the filing of this case. The Superintendent or other appropriate official shall calculate, collect, and forward the initial payment assessed pursuant to this order to the court with a reference to the docket number for this case. In each succeeding month when the amount in Passarella's inmate trust fund account exceeds \$10.00, the Superintendent or other appropriate official shall forward payments to the clerk of court equaling 20% of the preceding month's income credited to Passarella's inmate account until the fees are paid. Each payment shall refer to the docket number for this case;

4. The clerk of court is **DIRECTED** to **SEND** a copy of this order to the Superintendent of SCI-Mahanoy;

5. The complaint (Doc. No. 1) is **DEEMED** filed;

6. The complaint (Doc. No. 1) is **DISMISSED WITHOUT PREJUDICE** to Passarella filing a new case only if his underlying convictions are reversed, vacated, or otherwise invalidated; and

7. The clerk of court is **DIRECTED** to **CLOSE** this case.

BY THE COURT:

/s/ Edward G. Smith
EDWARD G. SMITH, J.